

**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA**

Order Instituting Investigation Into the Gas Market Activities of Southern California Gas Company, San Diego Gas and Electric, Southwest Gas, Pacific Gas and Electric, and Southern California Edison and Their Impact on the Gas Price Spikes Experienced at the California Border from March 2000 through May 2001.

Investigation 02-11-040  
(Filed November 21, 2002)

Order Instituting Investigation Whether San Diego Gas & Electric Company, Southern California Gas Company and Their Holding Company, Sempra Energy, Respondents, Have Complied With Relevant Statutes and Commission Decisions, Pertaining to Respondents' Holding Company Systems and Affiliate Activities.

Investigation 03-02-033  
(Filed February 27, 2003)

**ADMINISTRATIVE LAW JUDGE'S RULING  
SETTING PREHEARING CONFERENCE AND REQUIRING  
ELECTRONIC SERVICE OF RESPONSES TO MOTIONS**

A prehearing conference (PHC) in Investigation (I.) 02-11-040 has been scheduled previously for December 22, 2005. By today's ruling, I schedule a PHC in I.03-02-033 to be held jointly with the December 22, 2005 PHC in I.02-11-040.

Issues to be discussed at the joint PHC include, but may not be limited to, the following:

- Scheduling of additional testimony and hearings in Phase 1.B of I.02-11-040;

- Progress of the compliance audits of Southern California Gas Company and San Diego Gas & Electric Company being undertaken by GDS Associates, Inc., and further scheduling of I.03-02-033;
- Whether I.03-02-033 and Phase 1.B of I.02-11-040 should proceed separately or on a coordinated or consolidated basis; and
- Whether the lawsuit filed by the Attorney General and the Commission on November 21, 2005 (The People of the State of California ex rel. Bill Lockyer, Attorney General of the State of California, and the California Public Utilities Commission v. Sempra Energy, San Diego Gas and Electric Company, and Southern California Gas Company, Case No. GIC857224, Superior Court of California, County of San Diego) should affect the schedule or substance of either I.02-11-040 or I.03-02-033.

On December 6, 2005, Sempra Energy (Sempra) filed a motion to strike the testimony of Southern California Edison Company (SCE) submitted in Phase 1.B of I.02-11-040, and Southern California Gas Company and San Diego Gas & Electric Company file a motion to strike portions of SCE's Phase 1.B testimony. Pursuant to Rule 45(f) of the Commission Rules of Practice and Procedure, responses to these motions must be filed and served no later than December 21, 2005. In order to facilitate discussion at the PHC, parties should serve responses to the motions electronically, pursuant to Rule 2.3.1. The two motions may be discussed at the joint PHC.

Parties may, but are not required to, file and serve PHC statements no later than December 20, 2005.

**IT IS RULED that:**

1. The Commission shall hold a prehearing conference (PHC) in Investigation (I.) 03-02-033 at 10:00 a.m. on December 22, 2005, in the Commission Courtroom, State Office Building, 505 Van Ness Avenue, San Francisco, California.
2. The PHC in I.03-02-033 shall be held jointly with the PHC previously scheduled in I.02-11-040 for the same time and location.

3. Regarding the December 6, 2005 motions of Semptra Energy and of Southern California Gas Company and San Diego Gas & Electric Company cited in this ruling, parties shall serve responses electronically to parties in I.02-11-040, pursuant to Rule 2.3.1 of the Commission Rules of Practice and Procedure, and shall send electronic copies to the Assigned Commissioner and assigned Administrative Law Judge. Parties shall bring 5 extra copies of their responses to the PHC.

4. Parties may file PHC statements in I.02-11-040 and I.03-02-033 no later than December 20, 2005. Parties shall serve these statements electronically to parties in I.02-11-040 and I.03-02-033, pursuant to Rule 2.3.1, and shall send electronic copies to the Assigned Commissioner and assigned Administrative Law Judge. Parties shall bring 5 extra copies of their PHC statements to the PHC.

Dated December 8, 2005, at San Francisco, California.

/s/ CHARLOTTE F. TERKEURST

Charlotte F. TerKeurst  
Administrative Law Judge

**CERTIFICATE OF SERVICE**

I certify that I have by mail this day served a true copy of the original attached Administrative Law Judge's Ruling Setting Prehearing Conference and Requiring Electronic Service of Responses to Motions on all parties of record in Investigation (I.) 02-11-040 and I.03-02-022 or their attorneys of record.

Dated December 8, 2005, at San Francisco, California.

/s/ ERLINDA PULMANO

Erlinda Pulmano

**N O T I C E**

Parties should notify the Process Office, Public Utilities Commission, 505 Van Ness Avenue, Room 2000, San Francisco, CA 94102, of any change of address to insure that they continue to receive documents. You must indicate the proceeding number on the service list on which your name appears.

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The Commission's policy is to schedule hearings (meetings, workshops, etc.) in locations that are accessible to people with disabilities. To verify that a particular location is accessible, call: Calendar Clerk (415) 703-1203.

If specialized accommodations for the disabled are needed, *e.g.*, sign language interpreters, those making the arrangements must call the Public Advisor at (415) 703-2074, TTY 1-866-836-7825 or (415) 703-5282 at least three working days in advance of the event.